

United States Courts  
Southern District of Texas  
ENTERED

JUL 12 2004

 $\left\{ \begin{array}{l} \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \end{array} \right.$ 

Civil Action No. H-01-3624  
(Consolidated, Coordinated  
And Related Cases)

## Defendants

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The second motion, originally filed June 23, 2004 and revised and filed June 30, 2004 (Instrument No. 2245), seeks to stay the depositions of John Bloomer, Bill Collins and Arild Holm also “until January 1, 2005, or, if necessary, pending the conclusion of trials in a number of criminal cases related to the United States’ investigation of the collapse of Enron Corporation. . . .” Instrument No. 2245 at 1-2. All three of these defendants are expected to testify in the *Rice* criminal trial.

The United States argues that it is seeking to stay the deposition of only six witnesses and implies that once the *Rice* case has been tried the stay could be dissolved. If this were the circumstance the Court might be inclined to grant the stay in the spirit of co-operation. Reading between the lines of the motions, however, the Court gleans that some or all of these six witnesses would be needed for future criminal cases and that the United States does not intend in the future to limit its requests for stays to these six witnesses. The United States has presented no new or compelling reasons, beyond those presented in its May 28, 2004 motion, for deposition stays. The Court has nothing to add to the reasoning of its Order of June 1, 2004 denying that motion for stay. The Court is sympathetic to the plight of the United States, but, on balance, given the peculiar circumstances of the discovery in this multi-district litigation, cannot justify granting the stays the United States requests. Accordingly,

It is hereby ORDERED that the United States’ Motion for a Limited Stay of Selected Depositions (Instrument No. 2193) is DENIED. It is further

ORDERED that the United States’ Revised Motion for a Limited Stay of Selected Depositions (Instrument No. 2245) is DENIED.

Signed at Houston, Texas this 12<sup>th</sup> day of July, 2004.

  
MELINDA HARMON  
UNITED STATES DISTRICT JUDGE